

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

ROY LE DESMA,
Plaintiff;

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CIVIL ACTION NO. A-13-CV-131-LY

V.

**R.E. MASSEY, JR., INC. d/b/a
SCHLOTZSKY'S DELI OF MARBLE
FALLS and ROY E. MASSEY;
Defendants.**

JOINT MOTION FOR DISMISSAL WITH PREJUDICE

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES, Roy Le Desma, R.E. Massey, Jr., Inc., and Roy E. Massey, all the parties hereto, by and through their respective counsel, and would show the Court the following:

After extensive negotiation, the parties, which were each represented by independent counsel in this adversary proceeding, have settled and compromised any and all causes of action brought or that could have been brought in this lawsuit, including any claims arising under the Fair Labor Standards Act.

The parties, through the undersigned counsel, stipulate and represent that their settlement of Plaintiff's Fair Labor Standards Act claims is a fair and reasonable resolution of a bona fide dispute arising under the Fair Labor Standards Act.

WHEREFORE, PREMISES CONSIDERED, Plaintiff and Defendants jointly move that,

in accordance with the agreement of the parties, the above-styled and numbered case be

dismissed with prejudice to its refilling, and that all costs of Court and attorneys' fees shall be borne by the parties incurring those costs.

Respectfully submitted,

/s/ R. Scott Cook

Russell Scott Cook
State Bar No. 24040724
scook@rcooklaw.com
Melissa Jacobs
State Bar No. 24046144
mjacobs@rcooklaw.com
The Cook Law Firm
919 Congress Avenue, Suite 1145
Austin, Texas 78701
Telephone: (512) 482-9556
Telecopier: (512) 597-3172
ATTORNEY FOR PLAINTIFF

/s/ Aaron Charles de la Garza

Aaron Charles de la Garza
State Bar No. 24028282'
adelagarza@hdcclaw.com
Hill Ducloux Carnes & de la Garza
400 West 15th Street, Suite 808
Austin, Texas 78701
Telephone: (512) 474-7054
Telecopier: (512) 474-5605
ATTORNEY FOR DEFENDANTS